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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/671,871	09/28/2000	Glenn G. Ward	82,144	8767

7590   09/22/2004

Office of Counsel, Code 004
Naval Surface Warfare Center
Carderock Division
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West Bethesda, MD 20817-5700

EXAMINER
FRENEL, VANEL

ART UNIT	PAPER NUMBER
3626	

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/671,871	WARD ET AL.
	Examiner	**Art Unit**	
	Vanel Frenel	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _10 June 2004_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-33_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-33_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
    application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1.   This communication is in response to the Amendment filed 06/10/04. Claims 1,

10-11, 16-29 and 33 have been amended. Claims 1-33 are pending.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Saito et al (6,578,006) in view of Summers (6,408,263).

(A)   As per the added features to claim 1, Saito discloses "and effecting" "dynamic",

"using a computer network that permits computer access to a server capable of

containing a centralized database pertaining to said dynamic workflow management

system (Col.3, lines 48-67)", "pertaining", "said" "functions, said information including

plural individual workflow descriptions, each said individual workflow description

describing a said core function and establishing at least one linkage of said individual

workflow description with at least one other said individual workflow description"(Col.3,

lines 48-67 to Col.4, line 23); "said core function units at least substantially representing

said core functions" "uploading to said server for storage in said centralized database

(Col.3, lines 48-67 to Col.4, line 23)" "essentially integrating said information pertaining

to said core functions, said coherent presentation being computer-accessible" "updating

said coherent presentation at least once, each said updated coherent presentation

being computer-accessible by said core function units (Col.4, lines 23-55), each said

updating including uploading at least a portion of said individual workflow description

describing a said core function so as to render at least one change to the preceding

said individual workflow description describing the same said core function (Col.5, lines

11-41).

Saito does not explicitly disclose said at least one change including modification

with respect to said at least one linkage of said individual workflow description with at

least one other said individual workflow description.

However, this feature is known in the art, as evidenced by Summers. In

particular, Summers suggests at least one change including modification with respect to

said at least one linkage of said individual workflow description with at least one other

said individual workflow description (See Summers, Col.7, lines 59-67).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Summers within the system of Saito with the

motivation of increasing communication by investigating discussion of strategy and

operation and by illuminating business concerns (See Summers, Col.2, lines 19-21).

(B)   As per claim 2, Summers discloses a method wherein said identifying core

functions includes identifying external core functions selected `from the group

",consisting of life cycle management, acquisition, research and development, test and

evaluation, in-service engineering, integrated logistic support, program management and platform management (Col.27, lines 7-67).

(C)   As per claim 3, Summers discloses a wherein said identified core functions are external core functions including life cycle management, acquisition, research and development, test and evaluation, in-service engineering, integrated logistic support, program management and platform management (Col.27, lines 7-67).

(D)   As per claim 4, Summers discloses a method wherein said identifying core functions includes identifying internal core functions selected from the group consisting of facility planning, budget strategy and contracting requirements (Col.26, lines 46-67).

(E)   As per claim 5, Summers discloses a method wherein said identifying core functions includes identifying internal core functions selected from the group consisting of facilities, budget and contracts (Col.18, lines 59-67 to Col.19, line 67).

(F)   As per claim 6, Summers discloses a method wherein said identified core functions are external core functions including facilities, budget and contracts (Col.18, lines 59-67 to Col.19, line 67).

(G)   As per claim 7, Summers discloses a method wherein said identifying core

functions includes dividing said core functions into external core functions and internal

core functions (Col.37, lines 39-67 to Col.38, line 33).

(H)   As per claim 8, Summers discloses a method wherein said identified external

core functions are selected from the group consisting of life cycle management,

acquisition, research and development, test and evaluation, in-service engineering,

integrated logistic support, a program management and platform management (Col.27,

lines 7-67).

(I)   As per claim 9, Summers discloses a method wherein said identified internal core

functions are selected from, the group consisting of facilities, budget and contracts

(Col.17, lines 55-67 to Col.18, line 67).

(J)   As per the added feature to claim 10, Summers discloses "each" "individual

workflow description" (Col.2, lines 53-67 to Col.3, line 26).

(K)   As per the added feature to claim 11, Summers discloses "coherent presentation"

(The Examiner interprets computer to be a form of coherent presentation See

Summers, Col.20, lines 40-67).

(L)   As per claim 12, Summers discloses a method wherein said establishing core function units includes establishing external core function units selected from the group consisting of life cycle management, acquisition, research and development, test and evaluation, in-service engineering, integrated logistic support, program management and platform management (Col.27, lines 7-67).

(M)   As per claim 13, Summers discloses a method wherein said establishing core function units includes establishing internal core functions selected from the group consisting of facilities, budget and contracts (Col.17, lines 55-67 to Col.18, line 67).

(N)   As per claim 14, Summers discloses a method wherein said establishing core function units includes: establishing external core function units selected from the group consisting of life cycle management, acquisition, research and development, test and evaluation, in-service engineering, integrated logistic support, program management and platform management (Col.27, lines 7-67); and establishing internal core functions selected from the group consisting of facilities, budget and contracts (Col.17, lines 55-67 to Col.18, line 67).

(O)   As per claim 15, Summers discloses a method wherein said establishing core function units includes: establishing external core function units including life cycle management, a acquisition, research and development, test and evaluation, in-service engineering, integrated logistic support, program management and platform

management (Col.27, lines 7-67); and establishing internal core functions including

facilities, budget and contracts (Col.17, lines 55-67 to Col.18, line 67).

(P)   As per the added features to claim 16, Summers discloses "method further

comprising" "among said core function units, said instituting communications including"

"paper" (The Examiner interprets charting and graphing to be a form of paper See

Col.19, lines 55-67).

(Q)   As per the added feature to claim 17, Saito discloses "said method' "hard copies"

(Col.6, lines 31-48).

(R)   As per the added features to claim 18, Summers discloses "pertaining to said"

"functions" "plural" "submitting a section of said" "that characterizes" "said" (Col.33, lines

29-67 to Col.34, line 15).

(S)   As per the added features to claim 19, Saito discloses "said method making use

of a central computer and plural workstation computers connected to said central

computer" "organizational" "organizational" "availing itself of at least one said

workstation computer (See Fig.1; Col.3, lines 49-67 to Col.4, line 32), said establishing

including proposing initial core functions and assembling informational segments, each

said informational segment describing the functional flow associated with a said initial

core function (Col.4, lines 33-67), the functional flow associated with each of said initial

core function being characterized by at least one nexus between said functional flow

and the functional flow associated with at least one other said initial core function Col.4,

lines 33-67), said establishing plural organizational units further including designating

refined core functions, said refined core functions at least substantially corresponding to

said initial core functions, each said organizational unit performing a said refined core

function"(See Fig.1; Col.3, lines 49-67 to Col.4, line 32); "storing said manual in said

central computer for computer access by said organizational units, said manual being

stored in a form electronically modifiable by each said organizational unit"(See Fig.1;

Col.3, lines 49-67 to Col.4, line 32) "and" "maintaining currently of said as stored in said

central computer, said maintaining currency including electronically modifying of said

manual, by at least one said organizational unit with respect to at least one nexus

between the respective functional flows associated with at least two said refined core

functions" (Col.10, lines 32-63).

Saito does not explicitly disclose "that is at least substantially arranged in

accordance with said organizational units and said refined core functions respectively

performed by said organizational units, said manual at least substantially incorporating

said informational segments so as to prescribe" "of management operations"

"organizational" "organizational" "the functional flow associated with each said refined

core function being characterized by at least one nexus between said functional flow

and the functional flow associated with at least one other said refined core function".

However, these features are known in the art, as evidenced by Summers. In

particular, Summers suggests "that is at least substantially arranged in accordance with

said organizational units and said refined core functions respectively performed by said

organizational units, said manual at least substantially incorporating said informational

segments so as to prescribe" "of management operations" "organizational"

"organizational" "the functional flow associated with each said refined core function

being characterized by at least one nexus between said functional flow and the

functional flow associated with at least one other said refined core function" (See Fig.14,

Col.26, lines 31-67 to Col.27, line 53; Col.41, lines 5-41).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Summers within the system of Saito with the

motivation of increasing communication by investigating discussion of strategy and

operation and by illuminating business concerns (See Summers, Col.2, lines 19-21).

(T)   As per the added features to claim 20, Saito discloses "said method"

"disseminating hard copies of" "organizational" (Col.6, lines 31-48).

(U)   As per the added features to claim 21, Summers discloses "organizational"

"external core function units, said external core function" "performing respective"

(Col.37, lines 39-67 to Col.38, line 33).

(V)   As per the added features to claim 22, Summers discloses "organizational"

"internal core function units, said internal core function" "performing respective" (Col.37,

lines 39-67 to Col.38, line 33).

(W)   As per the added features to claim 23, Summers discloses "organizational"
"external core function units, said external core function" "performing respective"
"internal core function units, said internal core function" "performing respective"(Col.37,
lines 39-67 to Col.38, line 33).

(X)   As per the added features to claim 24, Summers discloses "said method further
comprising enabling communication among said organizational units in furtherance of
said flow management operations" (Col.37, lines 5-59).

(Y)   As per the added features to claim 25, Summers discloses "said maintaining
currency including" "scheduling" "management operations" " scheduling" (Col.37, lines
5-59).

(Z)   As per the added features to claim 26, Summers discloses "said electronically
modifying of said manual (See Col.42, lines 50-67; Col.44).

(AA)   As per the added features to claims 27 and 28, Summers discloses "said
electronically modifying of said manual" "nexus between the respective functional flows
associated with" "refined core functions" (Col.41, lines 5-14; Col.44, lines 12-17).

(BB)   As per the added features to claims 29, Saito discloses "computer-networked" "a

plurality of clients and a server, said server being configured to maintain a centralized

database relating to said workflow management that is computer-accessible by said

clients, said server being further configured to receive, in said centralized database,

information uploaded by any of said clients, wherein said uploaded information includes

(See Saito, Col.3, lines 48-67 to Col.4, line 32)": "identification of a plurality of core

functions" (Col.1, lines 6-29); "a plurality of individual workflow descriptions each said

describing a said core function and establishing at least one linkage of said individual

workflow description with at least one other said individual workflow description (Col.3,

lines 48-67 to Col.4, lines 49)" "said plurality of core functions units at least substantially

representing said plurality of core functions" "a compilation of said plurality of individual

workflow descriptions, said compilation being" "plurality of core (Col.1, lines 6-29; Col.3,

lines 48-67 to Col.4, line 32).

Saito does not explicitly disclose "revisionary input, said revisionary input revising

said compilation, each said revisionary input including at least a portion of a said

individual workflow description so as to render at least one revision to the preceding

said individual workflow description describing the same said core function, each said

"revisionary input, revising said compendium with respect to said at least one linkage of

said individual workflow description with at least one other said individual workflow

description.

However, these features are known in the art, as evidenced by Summers. In

particular, Summers suggests "revisionary input, said revisionary input revising said

compilation, each said revisionary input including at least a portion of a said individual

workflow description so as to render at least one revision to the preceding said

individual workflow description describing the same said core function, each said

"revisionary input, revising said compendium with respect to said at least one linkage of

said individual workflow description with at least one other said individual workflow

description (See Summers, Col.27, lines 39-67 to Col.28, line 33) which correspond to

Applicant's claimed features.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to have included the features of Summers within the system of Saito with the

motivation of increasing communication by investigating discussion of strategy and

operation and by illuminating business concerns (See Summers, Col.2, lines 19-21).

(CC)   As per claim 30, Summers discloses a system for performing workflow

management wherein said core functional units comprise external core functional units

including a life cycle management unit, an acquisition unit, a research and development

unit, a test and a evaluation unit, an in-service engineering unit, an integrated logistic

support unit, a program management unit-and a platform management unit (Col.27,

lines 7-67).

(DD)   As per claim 31, Summers discloses a system for performing workflow

management wherein said core functional units comprise internal core functional units

including a facilities unit, a budget unit and a contracts unit (Col.18, lines 59-67 to

Col.19, line 67).

(EE)   As per claim 32, Summers discloses a system for performing workflow

management wherein said core functional units comprise: external core functional units

including a life cycle management unit, an acquisition unit, a research and development

unit, a test and evaluation unit, an in-service engineering unit, an integrated logistic

support unit, a program management unit and a platform management unit (Col.27,

lines 7-67); and internal core functional units including a facilities unit, a budget unit and

a contracts unit (Col.18, lines 59-67 to Col.19, line 67).

(FF)   As per the added features to claim 33, Saito discloses "said system further

comprising computer-based communications means and non-computer–based

communication means, wherein said computer–based communication means includes

electronic mail, and" "non-computer-based" "means includes" "and written" (Col.4, lines

23-32).

Response to Arguments

4.   Applicant's arguments filed on 06/10/04 regarding claims 1, 10-11, 16-29 and 33

have been fully considered but are moot in view of the new ground (s) of

rejection.

Applicant's arguments with regard to the teachings of Burns and Kennedy are

moot, as these references are not applied against the pending claims. Rather, it

is the collective teachings of Saito Summers that obviate the presently pending claims.

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not applied art teaches computer based process for strategy evaluation and optimization based on customer desired outcomes and predictive metrics (5,963,910), automated interfacing of design/engineering software with project management software (4,875162) and product planning, development and program management information system and method (2002/0082950).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 703-305-4952. The examiner can normally be reached on Monday-Thursday from 6:30 am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Thomas can be reached on 703-305-9588. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

V.F
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September 17, 2004
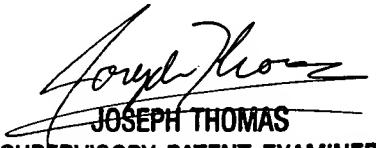
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